

CHAPTER 893

(House Bill 897)

AN ACT to add new Section 21H to Article 83 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Sales and Notices," subtitle "Consumer Protection," to follow immediately after Section 21G thereof, to make it unlawful for any person, partnership, association, corporation, or other legal entity in the State to sell or distribute any electrical consumer product [for any consumer product with electrical components unless the product is clearly labeled, marked or stamped with the symbol of Underwriters' Laboratories, Inc. or any other qualified testing laboratory certifying that the product is reasonably safe to persons and property; to provide for enforcement and penalties for violations; and relating generally to electrical consumer products and consumer products with electrical components.] unless the product is clearly labeled, marked, or stamped with the symbol of an electrical testing laboratory which has been certified to do testing to determine that the products are safe for use by the Fire Marshal of the State of Maryland, to provide for enforcement and penalties for violations; and relating generally to electrical consumer products.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 21H be and it is hereby added to Article 83 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Sales and Notices," subtitle "Consumer Protection," to follow immediately after Section 21G thereof, and to read as follows:

21H.

(A) IT IS UNLAWFUL FOR ANY PERSON, PARTNERSHIP, ASSOCIATION, CORPORATION, OR OTHER LEGAL ENTITY IN THE STATE TO SELL OR DISTRIBUTE ANY ELECTRICAL CONSUMER PRODUCT [FOR ANY CONSUMER PRODUCT WITH ELECTRICAL COMPONENTS] WHICH IS INTENDED ULTIMATELY FOR THE PERSONAL USE [CONSUMPTION OR ENJOYMENT] OF A CONSUMER IN OR AROUND A PERMANENT OR TEMPORARY HOUSEHOLD OR RESIDENCE UNLESS THE PRODUCT IS CLEARLY LABELED, MARKED OR STAMPED WITH THE SYMBOL OF [UNDERWRITERS' LABORATORIES, INC. OR ANY OTHER QUALIFIED TESTING LABORATORY CERTIFYING THAT THE PRODUCT IS REASONABLY SAFE TO PERSONS AND PROPERTY.] AN ELECTRICAL TESTING LABORATORY WHICH HAS BEEN CERTIFIED TO DO TESTING BY THE FIRE MARSHAL OF THE STATE OF MARYLAND. THE PURPOSE OF THIS TESTING IS TO DETERMINE THAT THE PRODUCTS TESTED ARE SAFE FOR USE.

(B) THE PROVISIONS OF THIS SECTION SHALL BE ENFORCED JOINTLY BY THE ATTORNEY GENERAL AND THE STATE FIRE MARSHAL UNDER ENFORCEMENT POWERS PROVIDED IN THIS SUBTITLE AND ARTICLE 38A OF THIS CODE. WITH RESPECT TO BALTIMORE CITY, THE FIRE DEPARTMENT OF BALTIMORE CITY SHALL REPORT, PURSUANT TO ITS AUTHORITY, TO THE DIVISION OF CONSUMER PROTECTION ANY VIOLATIONS OF THE PROVISIONS OF THIS SECTION IT FINDS.

(C) ANY PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND SHALL BE FINED NOT [LESS THAN \$500 NOR] MORE THAN \$5,000.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 30, 1973.